

DEPARTMENT OF PUBLIC SAFETY  
SEX OFFENDER AND CHILD PREDATOR REGISTRY



PERFORMANCE AUDIT  
ISSUED JUNE 25, 2008

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Under the provisions of state law, this report is a public document. A copy of this report has been submitted to the Governor, to the Attorney General, and to other public officials as required by state law. A copy of this report has been made available for public inspection at the Baton Rouge office of the Legislative Auditor.

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LOUISIANA LEGISLATIVE AUDITOR  
STEVE J. THERIOT, CPA

June 25, 2008

The Honorable Joel T. Chaisson, II,  
President of the Senate  
The Honorable Jim Tucker,  
Speaker of the House of Representatives

Dear Senator Chaisson and Representative Tucker:

This report provides the results of our performance audit of the Louisiana Sex Offender and Child Predator Registry, which is maintained by the Bureau of Criminal Identification and Information within the Department of Public Safety's Office of State Police. The audit was conducted under the provisions of Title 24 of the Louisiana Revised Statutes of 1950, as amended.

The report contains our findings, conclusions, and recommendations on the adequacy of state law in ensuring that sex offenders and child predators are properly registered with the Louisiana Sex Offender and Child Predator Registry. Appendix B contains the Department of Public Safety's response. I hope this report will benefit you in your legislative decision-making process.

Sincerely,

Steve J. Theriot, CPA  
Legislative Auditor

SJT/dl

SOCPR08



	Page
<b>Executive Summary .....</b>	<b>3</b>
<b>Audit Initiation, Scope, and Methodology .....</b>	<b>4</b>
<b>Louisiana Sex Offender and Child Predator Registration Overview .....</b>	<b>4</b>
<b>Louisiana Sex Offender and Child Predator Registration and Community Notification Processes .....</b>	<b>6</b>
Louisiana’s Sex Offender Initial Registration Process.....	6
Processes for Updating Louisiana’s Sex Offender Registration Information .....	8
Louisiana’s Sex Offender Community Notification Process .....	9
<b>Does Current State Law Provide Adequate Safeguards to Ensure That Sex Offenders and Child Predators Are Properly Registered? .....</b>	<b>11</b>
No Agency Is Legally Responsible for Ensuring the Accuracy and Completeness of the Sex Offender Registry .....	11
Fragmentation May Result in Inaccurate and Incomplete Data in Registry .....	12
LSP Does Take Measures to Ensure the Accuracy of Some Data in the Registry .....	13
LSP Could Implement Procedures to Help Ensure Completeness of Registry Data.....	13
Louisiana Could Benefit From Streamlining the Processes Used to Update Registration Information .....	16
Louisiana’s Community Notification Process Differs from Other States’ Processes .....	18
<b>Appendixes</b>	
Appendix A: Additional Background Information.....	A.1
Appendix B: Management’s Response .....	B.1



# Office of Legislative Auditor

Steve J. Theriot, CPA, Legislative Auditor

## Department of Public Safety Sex Offender and Child Predator Registry

June 2008



Audit Control # 40080003

### *Executive Summary*

We conducted a performance audit of the Louisiana Sex Offender and Child Predator Registry, which is maintained by the Bureau of Criminal Identification and Information within the Department of Public Safety's Office of State Police (LSP). The objective of this audit and overall results are summarized below.

**Objective:** Does current state law provide adequate safeguards to ensure that sex offenders and child predators are properly registered?

**Results:** Current Louisiana law does not provide adequate safeguards to ensure that sex offenders and child predators are properly registered.

- Louisiana law does not delegate the responsibility of ensuring that the sex offender registry is complete or accurate to any particular entity. *(See page 11.)*
- Fragmentation may result in inaccurate and incomplete data in the registry. The Department of Public Safety, the Department of Corrections, local law enforcement, and the courts all have a role in the sex offender registry. This fragmentation of the process weakens controls that ensure accuracy and completeness. *(See pages 11-12.)*
- LSP does take measures to ensure the accuracy of some data in the registry. LSP has implemented measures to review the accuracy of data submitted by local law enforcement before it is accepted into the registry. *(See page 13.)*
- LSP could implement procedures to help ensure the completeness of the registry data. *(See pages 13-14)*
- Louisiana could benefit from streamlining the processes used to update sex offender registration information. *(See page 16.)*
- Louisiana's community notification process differs from other states' processes. In Louisiana, the sex offender is responsible for the majority of community notification. In other states we reviewed, local law enforcement is responsible for the majority of community notification. *(See page 17.)*

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### *Audit Initiation, Scope, and Methodology*

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This performance audit was conducted under the provisions of Title 24 of the Louisiana Revised Statutes of 1950, as amended. Louisiana Revised Statute (R.S.) 24:522 requires, in part, that the legislative auditor establish a schedule of performance audits to ensure that at least one performance audit is completed and published for each executive department agency within a seven-year period beginning with the 1997-98 fiscal year. In accordance with this requirement, the legislative auditor developed a plan scheduling a performance audit of the Department of Public Safety (DPS) for the 2007-2008 fiscal year. The scheduling of this audit was approved by the Legislative Audit Advisory Council in July 2003.

We limited our audit work to the Louisiana Sex Offender and Child Predator Registry maintained by the Bureau of Criminal Identification and Information within the DPS Office of State Police. Our objective was to determine the following:

- *Does current state law provide adequate safeguards to ensure that sex offenders and child predators are properly registered?*

In conducting this audit, we followed the applicable generally accepted government auditing standards as promulgated by the Comptroller General of the United States. To answer our objective, we performed the following audit steps:

- Interviewed appropriate officials from the Department of Public Safety and the Office of the Attorney General that are involved in the Sex Offender Registry
- Researched relevant state laws, administrative code, and federal law
- Reviewed audit reports on sex offender registries from other states
- Reviewed sex offender registration requirements in other states

**Appendix B** contains the DPS response to this report.

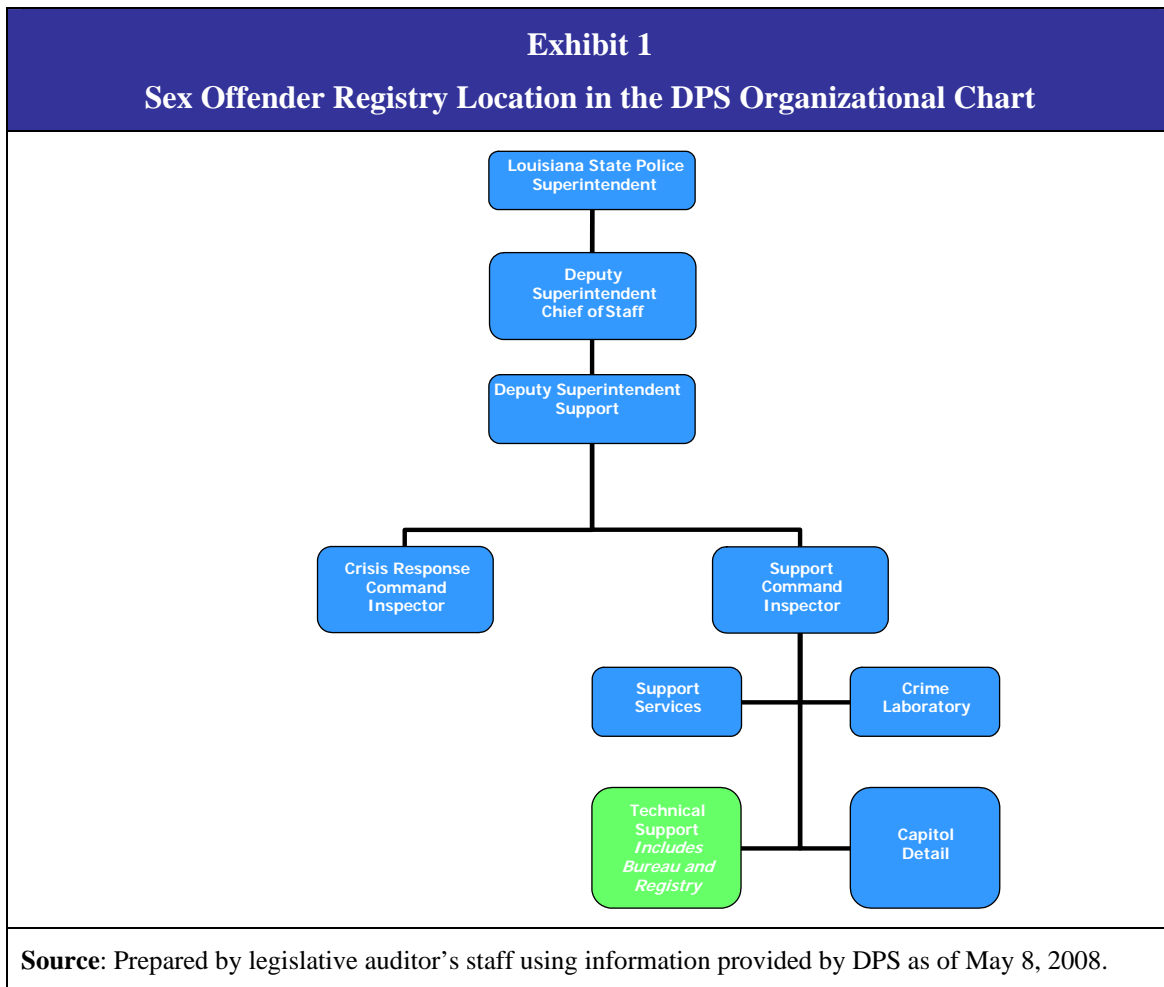
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### *Louisiana Sex Offender and Child Predator Registry Overview*

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The DPS mission is to provide safety services to the citizens and visitors of the state by upholding and enforcing the laws, administering regulatory programs, managing records, educating the public, and managing emergencies. As part of this mission, Louisiana law instructs the Bureau of Criminal Identification and Information to maintain the Sex Offender and Child Predator Registry (registry).





**Legal Authority.** According to R.S. 15:578, the Bureau of Criminal Identification and Information (Bureau) maintains the registry. The Bureau is located within state police's Technical Support unit in the organizational chart above. The Bureau serves as the central state repository for criminal records and criminal history data for the state of Louisiana. Five full-time employees work on the registry.

**Other Entities Involved With the Sex Offender Registry.** Local law enforcement agencies, the Department of Corrections (DOC), the courts, and the Office of the Attorney General also participate in the registration process. DOC and the courts inform offenders/predators of the registry and community notification requirements. Local law enforcement agencies receive registrations from sex offenders and child predators and submit the information to DPS. In addition, in accordance with Article 895.1 (F)(4)(c) of the Code of Criminal Procedure, the Attorney General's office is establishing a new information system for sheriffs to use to register and track offenders/predators.

**Registry Purpose.** The registry was created to help local law enforcement agencies protect their communities by providing information about sex offenders and child predators to the public and to law enforcement officials. Law enforcement agencies use the registry to obtain

information for investigative purposes. The public can access specific information about sex offenders on the registry through the LSP Web site. As of January 2008, the registry contained approximately 7,700 offenders.

**Registry History.** In 1992, the legislature passed Louisiana's first law requiring sex offenders and child predators to register with local law enforcement. The registration information was then sent to the Bureau in DPS for inclusion in a central registry. Since 1992, Louisiana's sex offender laws and requirements have undergone several changes in response to federal legislation. In 1997, the Louisiana Legislature amended existing law to come into compliance with the Jacob Wetterling Act (1994), Megan's Law (1996), and Pam Lychner Act (1996). Table B-3 in Appendix A provides a brief description of these federal acts. These federal acts provided more restrictive requirements for sex offender registrations, reduced restrictions on the release of sex offender information, and required the Bureau to participate in the National Sex Offender Registry.

In January 2008, revisions to Louisiana law that brought Louisiana into compliance with the Adam Walsh Act went into effect. The Adam Walsh Act provides for more information to be provided by the offender, longer registration requirements and periodic in-person verification requirements.

In addition to the sex offender registry requirements, the Adam Walsh Act requires appropriate officials to provide community notification to a number of entities including law enforcement agencies and social service entities.

**Funding Resources.** According to LSP officials, the Bureau receives \$25,000 annually from the Sex Offender Technology Fund. The Sex Offender Technology Fund is funded from monthly probation/parole fees collected from the sex offender. In addition, the Bureau received a federal grant for \$445,000 in 2003. According to LSP personnel, the grant has been spent for additions and upgrades to the information systems that are a part of the registry, as well as modifications necessary for compliance with the Adam Walsh Act. The Bureau has five employees. These employees are paid through the DPS general fund.

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### ***Louisiana Sex Offender and Child Predator Registration and Community Notification Processes***

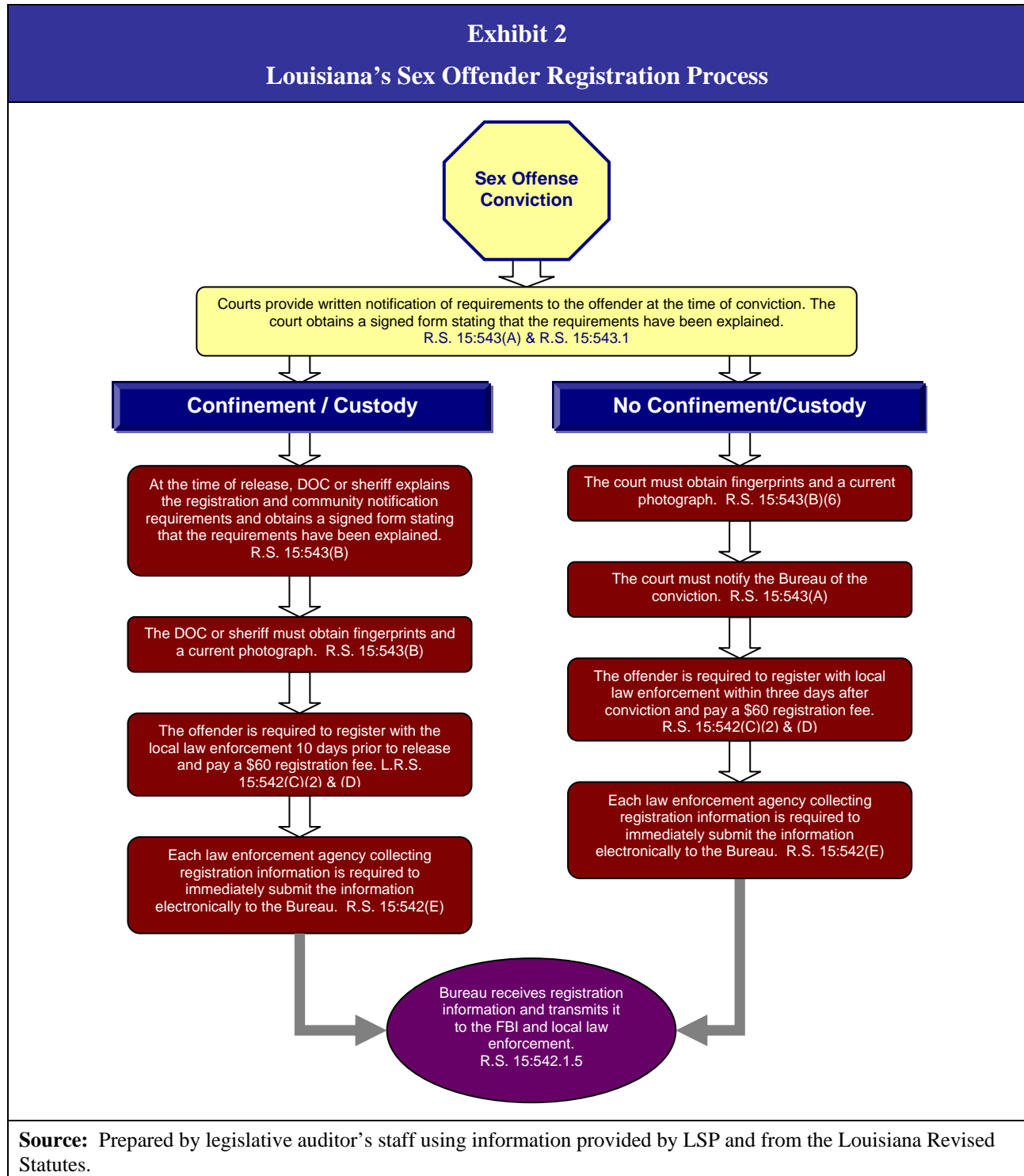
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**Louisiana's Sex Offender Initial Registration Process.** When convicted of a sex offense, the offender can be sentenced to custody (e.g., DOC prison or parish jail) or the offender may be released without supervision. The agency having custody over the offender is responsible for ensuring the offender is aware of the registration, verification, and community notification requirements before his release.

If the sex offender is sentenced to confinement, the offender initially provides the registration information to the appropriate law enforcement agencies within 10 days prior to his release from confinement. If the offender is not sentenced to confinement, he has three days from conviction to register with local law enforcement.

Local law enforcement must immediately forward the registration information it receives to the Bureau. The Bureau compiles the information, updates the database, and transmits the information to the FBI and other agencies.

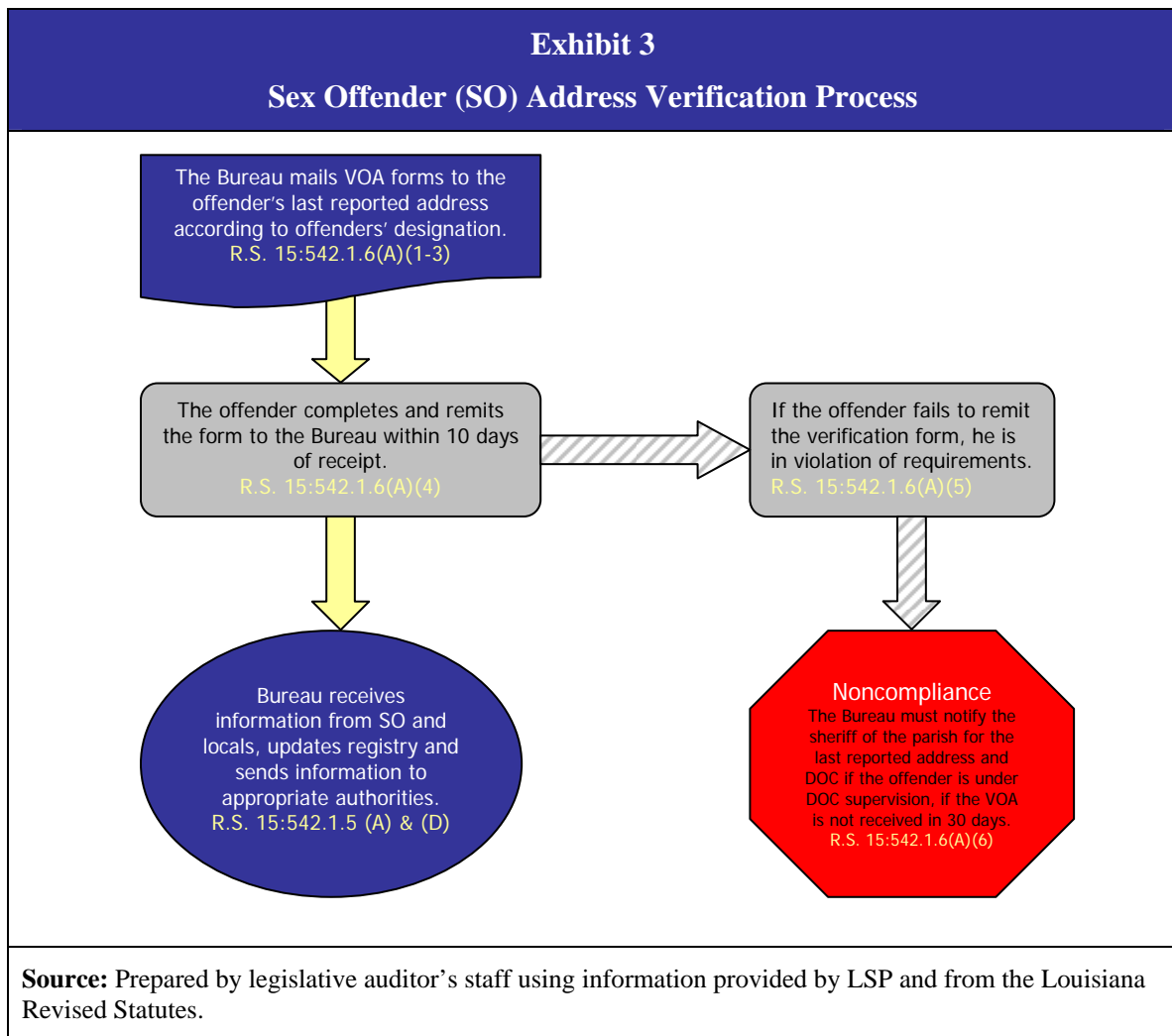
Exhibit 2 illustrates the sex offender registration process in Louisiana.



**Processes for Updating Louisiana's Sex Offender Registration Information.** DPS and local law enforcement have separate processes to update registration information.

DPS conducts an annual (or more frequently if required by law) address verification process for those offenders already in the registry. Exhibit 3 describes the procedure for sex offender address verification in Louisiana. This process assists DPS in determining if the offender is still residing at the address listed in the registry.

Independent of the address verification process conducted by DPS, offenders are required to re-register at least annually with local law enforcement. As of January 1, 2008, offenders are required to appear in person at a local law enforcement office to renew their registration. Local law enforcement can either submit the new information through AFIS (Automated Fingerprint Identification System) as explained in Exhibit 5 or update the registry directly through a secure Web site.



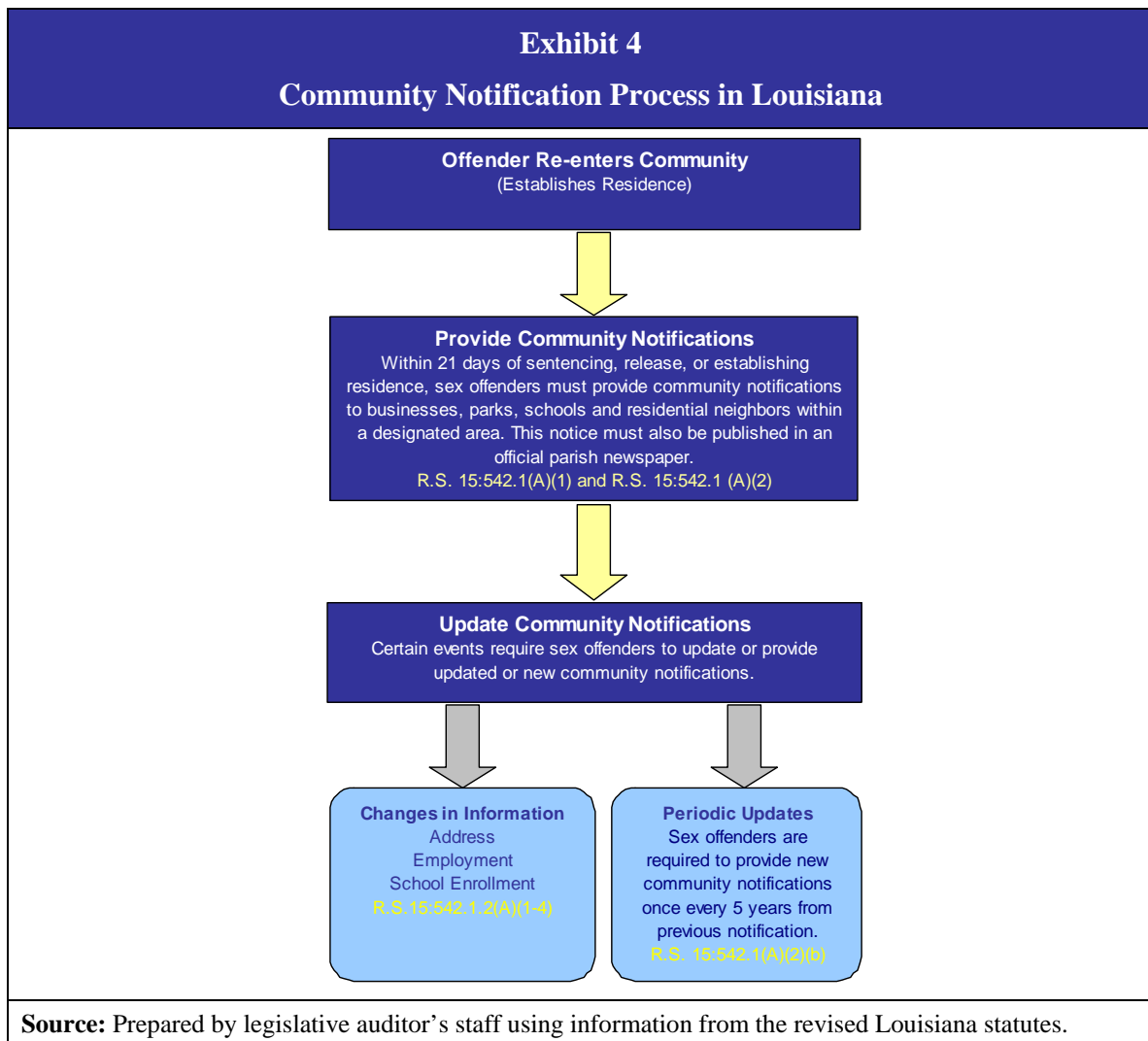
**Appendix A** contains time frames and other details regarding registration and related processes.

**Louisiana's Sex Offender Community Notification Process.** Sex offenders are required to give community notifications within 21 days of establishing residence in Louisiana. If the offender is a current resident, he must provide the community notifications within 21 days of his sentencing or release from confinement. A community notification consists of the following information provided by the offender:

- Name
- Residential address
- Physical description
- Photograph
- Crime for which convicted

Sex offenders are required to provide the community notifications to the following:

- One person in every residence within a one mile rural area or 3/10 mile urban area of the offender's residence
- Superintendent of the school district where the offender resides
- Lessor, landlord, or owner of the residence where the offender resides
- Superintendent of any park, playground, or recreation districts within a designated area where the offender resides



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***Does Current State Law Provide Adequate Safeguards to Ensure That Sex Offenders and Child Predators Are Properly Registered?***

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Current Louisiana law does not provide adequate safeguards to ensure that sex offenders and child predators are properly registered. Louisiana law does not provide any entity with the authority to ensure that the Louisiana Sexual Offender Registry (SOR) is complete or accurate. In addition, it is doubtful that the registry is complete or accurate because Louisiana law provides for a fragmented sex offender registration process. This fragmentation weakens the department's ability to ensure the completeness and accuracy of the sex offender registry data.

Although the Bureau employs some techniques to verify the accuracy of certain information contained in the registry, it has not implemented any formal processes to ensure the completeness of the data. Incomplete or inaccurate data can impair law enforcement's ability to protect the public.

Louisiana is not unique in terms of problems associated with completeness and accuracy of registry data. Our research of other states uncovered similar issues and problems. Also, our research identified ways Louisiana officials could make improvements to the methods used for updating registration information to streamline the process. Finally, Louisiana law puts community notification responsibilities primarily on the offender. This situation is unlike other states we researched.

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**No Agency Is Legally Responsible for Ensuring the Accuracy and Completeness of the Sex Offender Registry**

Louisiana law does not delegate the responsibility of ensuring that the sex offender registry is complete or accurate to any particular entity. Louisiana law (R.S. 15:578) requires the Bureau to establish and maintain a central registry of sex offenders. The law does not discuss the responsibility for the completeness and accuracy of the data in the registry. While the DPS mission is to provide safety services for the state of Louisiana, DPS is not mandated nor has it undertaken the task of ensuring the completeness and accuracy of the registry.

If there is no entity in charge of data accuracy and completeness, the risk that the registry contains errors or is incomplete increases. According to R.S. 15:540(A), local law enforcement efforts to protect the communities are impaired when there is a lack of information available about sex offenders, sexually violent predators, and child predators who live within its jurisdiction. If the registry is not complete or accurate, law enforcement cannot rely on the registry to assist in protecting public safety.

This issue is not unique to Louisiana. At least three audit reports on the registry in other states we reviewed cited the same issue: state laws did not charge anyone with ensuring the completeness and accuracy of the registry; the laws only charged an entity with maintaining the registry. In a 2003 California State Auditor report and a 2005 Michigan Office of the Auditor General report, the agencies that maintain the registries responded that it was the duty of the agencies submitting the data to ensure its accuracy.

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## **Fragmentation May Result in Inaccurate and Incomplete Data in the Registry**

The responsibilities for maintaining the registry and collecting registration information are separated among different entities. Louisiana law charges DPS with maintaining the registry, but law requires sex offenders to report to local law enforcement offices to provide their registration information. The local law enforcement agencies then submit the information to DPS. This separation of responsibilities weakens any control structure that might exist to ensure the completeness and accuracy of the registry. This fragmentation of the process hinders the state's ability to ensure the completeness and accuracy of the data.

These issues are not unique to Louisiana. In 25 of the 32 states we researched, the entity that maintains the registry is not the entity that registers the offenders. The Pennsylvania General Auditor made a recommendation in a 2003 audit that the governor designate a high ranking official to oversee the entire Megan's Law administration, in part, because of the fragmentation of the overall sex offender registry process. In addition, a 2001 Colorado State Auditor report recommended that one agency should have the responsibility for verifying that sex offenders register as required.

**Fragmentation may result in inaccurate data.** Registering agencies are not responsible for maintaining the registry. Local law enforcement agencies send sex offender information electronically and through the mail to LSP for inclusion in the registry [R.S. 15:542.1.5(A)(1)]. The statutes place the majority of the burden on the sex offenders to self-report accurate information to local law enforcement. DPS relies on the data from local law enforcement and other input sources to be complete and accurate.

In addition, over 100 local agencies are responsible for collecting registration information and there is no one control system for ensuring that the data collected is accurate. Instead, the quality of the data received by LSP will vary depending on the resources and efforts of the entity that collected the data to ensure its accuracy. It is essential for DPS and the contributing agencies to work together, since neither entity is responsible for the complete process.

Louisiana's registration process is not unique. In the majority of the states we researched, sheriffs and local law enforcement serve as the agency responsible for registering sex offenders but do not maintain the registry. In addition, several of the audit reports from other states identified the source of information as a problem with ensuring accuracy. These reports cited the reliance on the sex offender to provide accurate data as a problem with ensuring accuracy of the registry.

Fragmentation may result in incomplete data. The registry may be incomplete because DPS maintains the registry but does not have the authority to enforce collection or submission of sex offender registration information from registering agencies. After accepting registration information, local law enforcement must immediately forward the information to LSP for inclusion in the registry in accordance with R.S. 15:542(E). According to LSP personnel, some agencies do not collect sex offender registration or an agency may collect the registration but does not submit the information to LSP.



We tried to work with LSP to determine the number of agencies not collecting or providing complete registration information. However, we were unable to determine a number because LSP cannot determine which sex offenders should be registering with a specific local law enforcement agency.

Even though R.S. 15:545(A)(1) requires local law enforcement and registering agencies to transmit information to the LSP, LSP does not have the authority to mandate the submission. If a registering agency does not submit information, LSP cannot force the submission or enforce a penalty.

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### **LSP Does Take Measures to Ensure the Accuracy of Some Data in the Registry**

LSP has implemented measures to review the accuracy of data submitted by local law enforcement before it is accepted into the registry.

For example, sex offenders submit registration information that can also be found in other databases such as the DOC database (CAJUN) and the DPS computerized criminal history database (CCH). LSP compares data the sex offender submits against data contained in the CAJUN system, which includes conviction, sentence and probation and parole information. LSP also compares information submitted by the sex offender with the data in CCH, which includes information such as the registering agencies, driver's license and ID numbers, and alias information. Table B-2 in Appendix A contains a list of all the information that a sex offender must provide during registration.

In addition, when address information is entered into the AFIS (see Exhibit 5 for an explanation of information systems), the validity of the address is automatically checked. While this function does not provide proof that the offender resides at the address, it does verify that the address exists.

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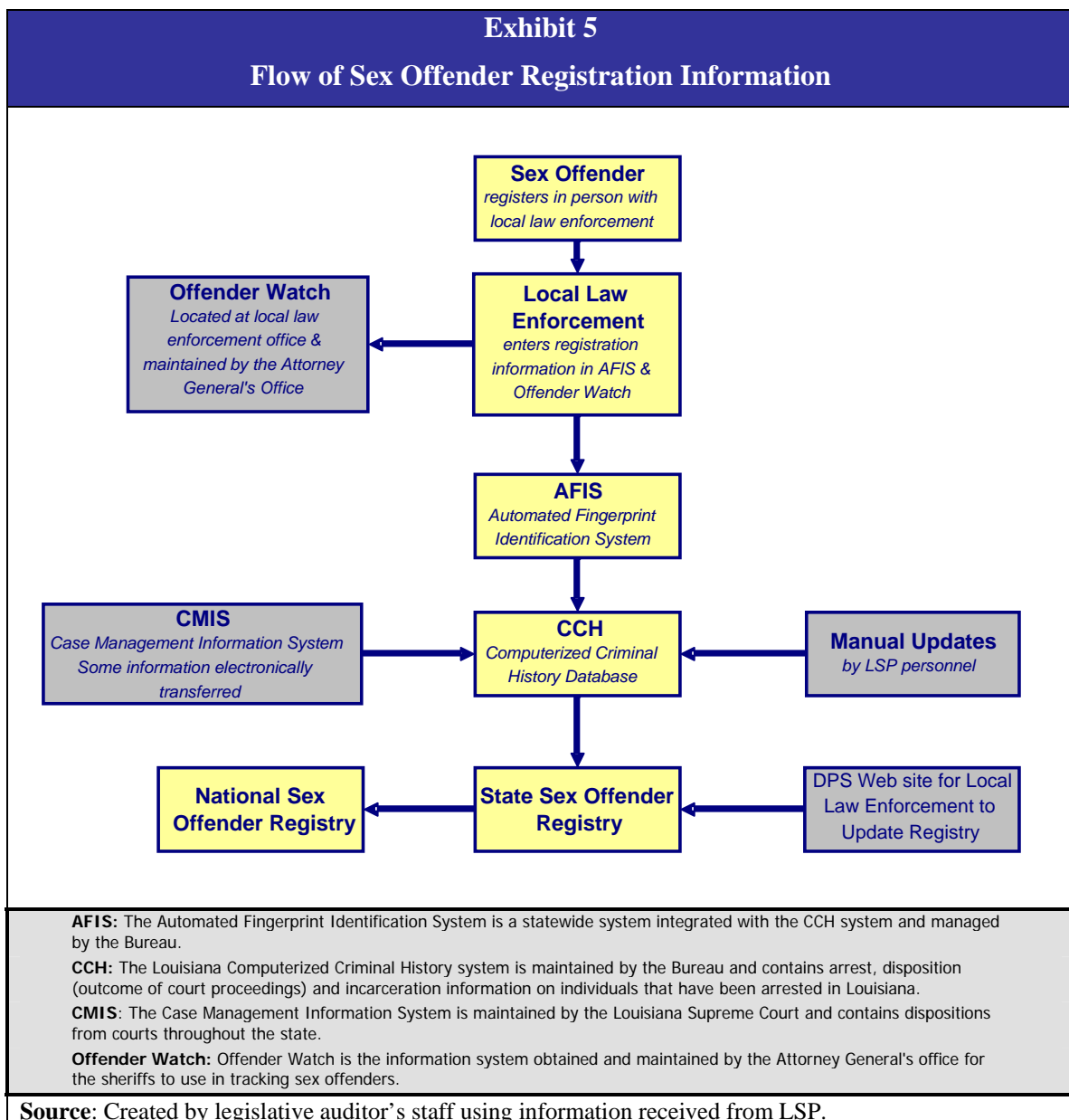
### **LSP Could Implement Procedures to Help Ensure Completeness of Registry Data**

LSP could implement procedures to help ensure the completeness of the registry data. There are other sources of data that LSP could use to determine if all offenders that should have registered have registered.

The district courts track convictions and submit that information (through the Supreme Court-CMIS) to the Criminal Records database at LSP (CCH). Although it is still difficult for CCH to accept many of the CMIS records, the two systems are moving towards greater compatibility. In the future, if LSP could initially populate the registry with data from the Criminal Records database or even the DOC database (CAJUN), it could have a baseline to use in determining which offenders failed to register.

Exhibit 5 on the following page illustrates the current flow of information into the registry and describes the current relationship between the DPS databases and databases maintained by other state agencies.

We recognize that there may be problems with comparing external data to the registry to determine completeness. For example, some sex offenders in the CCH or CAJUN system may not be required to register in Louisiana (i.e. they have moved, registration period has expired). In these cases, exception reports could be compared against other data to account for those issues. For example, if CCH shows that Person A was convicted of an offense requiring registration but Person A is not in the registry, the Office of Motor Vehicle records or the White Pages could be searched to see if Person A has a current Louisiana address and is therefore required to register.



Several audit reports from other states recommended that the entity charged with maintaining the registry compare the registry data with third-party databases such as motor vehicles, corrections, and labor. For example, auditors in Michigan, Colorado, and Florida reported that those states do not reconcile offenders who are required to register with those that actually do. All three auditors in these states recommended that the maintainer of the registry use third-party data to reconcile the registry data to ensure completeness.

**Matter for Legislative Consideration 1:** The legislature may wish to consider whether state law should be strengthened to ensure that the data are accurate and complete in the Sex Offender Registry. The following are areas of state law that could be implemented or strengthened:

- Penalties for those agencies who fail to comply with state law and procedures developed by DPS to ensure accuracy and completeness of data
- Detailed language in law specially assigning an agency the responsibility and authority to ensure the Sex Offender Registry is complete and accurate

**DPS Response:** Statutory provisions require the registering agency to obtain specific information and documentation from the registrant at the time of registration. The registering agency is statutorily responsible for conducting a physical inspection of the registrant for verification purposes. Please refer to La.R.S. 15:542 (C)(1)(c-o) and La.R.S. 15:542(C)(2). (See Appendix B for the DPS full response.)

**Legislative Auditor's Additional Comments:** While state law does require the registering agency to collect specific information from the registrant, state law does not assign any specific entity the responsibility and authority to ensure the information collected and maintained in the registry is complete and accurate.

**Recommendation 1:** LSP should consider using third-party data, when it is complete and electronically available, to help ensure the completeness of the Sex Offender Registry.

**DPS Response:** The Louisiana State Police is working in unison with the Office of Attorney General, Department of Corrections and local law enforcement to address the fragmentation of the registry process. These agencies are unified in pursuing the implementation of one system for utilization by all agencies. A vendor has been selected which will provide the same database to be used by each agency. The implementation of one system is anticipated to enhance the overall accuracy of information as the system provides a tracking mechanism of each entry and change made, including the name of the individual creating the entry/change, date and time. (See Appendix B for the DPS full response.)

**Recommendation 2:** DPS/LSP should develop and implement procedures that will ensure accuracy and completeness. This process could require coordination with local law enforcement agencies, DOC, and courts.

**DPS Response:** The Louisiana State Police database discussed above will serve as a central repository of all records entered into the system by an outside agency. The utilization of one system by all agencies is anticipated to reduce the fragmentation. (See Appendix B for the DPS full response.)

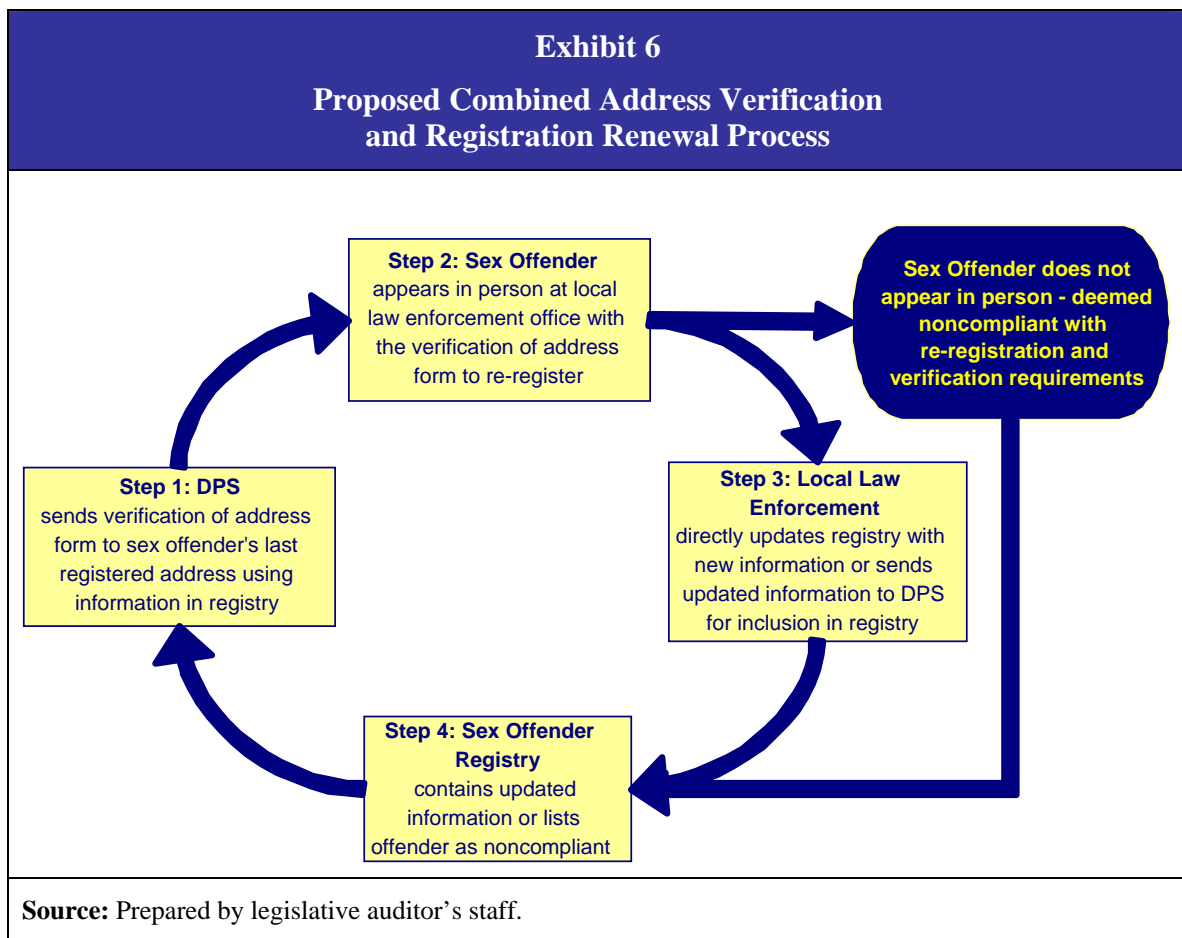
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### **Louisiana Could Benefit From Streamlining the Processes Used to Update Registration Information**

Most states, including Louisiana, obtain updated registration information by mandating the offender renew the information in person with local law enforcement and through address verification cards mailed by the agency that maintains the repository.

One state that we reviewed tied the two processes together. The maintainer of the registry (the equivalent to Louisiana's DPS) mails out the address verification cards. Then, instead of mailing those cards back to DPS, the offender must take the card and appear in person at the local law enforcement office to complete the renewal registration process.

In Louisiana, these two procedures are independent of each other. According to DPS personnel, an offender can be considered noncompliant with either one of the procedures. If the registry indicates that an offender is noncompliant, it means noncompliant with the address verification process not the renewal registration process. The registry would not indicate if an offender was noncompliant with the renewal registration process. Exhibit 6 contains a visual description of this combined process.



**Matter for Legislative Consideration 2:** The legislature may wish to consider whether state law should be amended to tie the address verification procedure and the renewal registration process together. This process would decrease the fragmentation of the process and create one noncompliance status for offenders who do not update/renew their information according to the time frames outlined in statute.

**DPS Response:** The Louisiana State Police is working in unison with the Office of Attorney General, the Department of Corrections and local law enforcement agencies to address this issue. These agencies are unified in pursuing the implementation of one system for use by all agencies. The system will poll, in fifteen minute increments, the database of each agency responsible for registering offenders. Information not previously contained in the LSP database will electronically be updated. This will extremely streamline the process for the placement of information into the LSP registry while eliminating the need for manual submissions. (See Appendix B for the DPS full response.)

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## **Louisiana's Community Notification Process Differs From Other States' Processes**

Community notification requirements for sex offenders and child predators vary by state. However, in all of the states we reviewed with information available, local law enforcement is mainly responsible for providing the community notification. Louisiana differs in that sex offenders are required to perform the community notifications. This practice leaves the accountability for providing the notifications up to the offender. However, Louisiana's community notification process appears to mandate more notifications than the other states we reviewed.

The new information system that the Attorney General's office has acquired for the sheriffs (see page 4) provides the sheriffs the ability to send electronic community notifications. Although this system is not designed to supplant the offender's responsibility, it does provide another mechanism for community notifications.

**Matter for Legislative Consideration 3:** The legislature may wish to consider amending state law so that local law enforcement is responsible for providing some or all of the community notifications in addition to the sex offender's responsibilities.

**DPS Response:** Louisiana State Police, the Office of the Attorney General, the Department of Corrections and local law enforcement are working to address this issue. These agencies are pursuing the implementation of one system for use by all agencies. This system will allow an individual to obtain an email upon a specific registrant when information regarding the registrant is updated. In addition, the current and proposed system allows an individual to search a geographical area for registrants. The system will allow electronic notice to be issued to agencies such as schools within a given geographical area. This notice will be in addition to the notifications required of the registrant. (See Appendix B for the DPS full response.)

<b>Table B-1</b> <b>Time Frames for Registration</b>			
	<b>Sexually Violent Offenders</b>	<b>Child Predators</b>	<b>All Other Offenders</b>
Address Verification Card Process	Every 3 months	Every 6 months	Annually
Renewal Registration	Every 3 months	Every 6 months	Annually
Participation in Registry	Lifetime	25 years	15 years
<b>Source:</b> Prepared by legislative auditor's staff using information from R.S. 15:542.1.6, 15:544, and 15:542.1.1.			

<b>Table B-2</b> <b>Information Offender Provides at Registration</b>	
• Name and aliases	• Telephone Numbers
• Residence Address	• Vehicle Descriptions
• Name and Address of place of employment	• Social Security Number and Date of Birth
• Name and Address of school	• Physical Description
• Two forms of proof of residence	• E-mail Address, On-line Identities
• Crime for which he was convicted	• Travel and Immigration Documents
• Current Photograph	• Fingerprints, palm print and DNA sample
<b>Source:</b> Prepared by legislative auditor's staff using information from R.S. 15:542(C).	

<b>Table B-3</b> <b>Summary of Relevant Federal Legislation</b>		
<b>Title of Act</b>	<b>Date of Legislation</b>	<b>Brief Description</b>
Jacob Wetterling Act	1994	Set guidelines for state sex offender registration programs
Megan's Law	1996	Amended the Wetterling Act to provide for release of registration information in accordance with state laws
Pam Lychner Act	1996	Created a national database of sex offenders
Adam Walsh Act	2006	Expanded the National Sex Offender Registry, strengthened federal penalties and authorized regional Internet Crimes Against Children Taskforces
<b>Source:</b> Prepared by legislative auditor's staff using information from the federal government and DPS.		

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## APPENDIX B: MANAGEMENT'S RESPONSE



BOBBY JINDAL  
GOVERNOR



MICHAEL D. EDMONSON, COLONEL  
DEPUTY SECRETARY

**State of Louisiana**  
*Department of Public Safety and Corrections*  
*Public Safety Services*

May 22, 2008  
HQ-01-251

Mr. David K. Greer  
Director of Performance Audit  
Louisiana Legislative Auditor  
Post Office Box 94397  
Baton Rouge, LA 70804-9397

**RE: Performance Audit of Louisiana State Police Sex Offender and Child  
Predator Registry**

Mr. Greer:

I would like express my appreciation to you and your staff for meeting with us to discuss the performance audit of the Louisiana State Police Sex Offender and Child Predator Registry conducted on behalf of the Louisiana Legislative Auditor.

The Louisiana State Police is dedicated to correcting deficiencies as noted in the findings of the performance audit. As described in the attached Executive Summary, corrective action is being initiated to correct the deficiencies.

The Louisiana State Police looks forward to working with you and your staff in the future to improve all aspects of public service for the citizens of Louisiana.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael D. Edmonson".

Colonel Michael D. Edmonson, Deputy Secretary  
Louisiana Department of Public Safety and Corrections  
Public Safety Services

cc: Lieutenant Colonel Dale Hall, Louisiana State Police  
Lieutenant Colonel Stanley Griffin, Louisiana State Police  
Major Jerry Patrick, Louisiana State Police  
Lieutenant Leland Falcon, Louisiana State Police

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## **OFFICE OF STATE POLICE**

### **Legislative Audit Response Department of Public Safety Sex Offender and Child Predator Registry Executive Summary**

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The Louisiana State Police has reviewed the performance audit prepared by the Louisiana Legislative Auditor for fiscal year 2006/2007 fiscal year. The Louisiana State Police views such audits as important tools to enhance public service and protection of our citizenry. As such, the Louisiana State Police is grateful for the review conducted by the Louisiana Legislative Auditor.

While the Louisiana State Police concurs with the majority of the findings of the performance audit, it is important to note several advances made by the Louisiana State Police in resolving such findings. Each of the six (6) performance audit findings are addressed within this response.

#### **Finding #1**

**Louisiana law does not delegate the responsibility of ensuring that the sex offender registry is complete or accurate to any particular entity.**

Response: Statutory provisions require the registering agency to obtain specific information and documentation from the registrant at the time of registration. The registering agency is statutorily responsible for conducting a physical inspection of the address of the registrant for verification purposes. Please refer to La.R.S. 15:542.C(1)(e through o) and La.R.S. 15:542.C(2).

#### **Finding #2**

**Fragmentation may result in inaccurate and incomplete data in the registry. The Department of Public Safety, the Department of Corrections, local law enforcement and the courts all have a role in the sex offender registry. This fragmentation of the process weakens controls that ensure accuracy and completeness.**

Response: The Louisiana State Police is working in unison with the Office of Attorney General, State of Louisiana, Department of Corrections and local law enforcement agencies to address this issue.

The aforementioned agencies are unified in pursuing the implementation of one system for utilization by all agencies. A vendor has been selected which will provide the same database to be utilized by each agency. The Louisiana State Police database will serve as a central repository of all records entered into the system by an outside agency.

The utilization of one system by all agencies is anticipated to reduce the fragmentation as noted in the performance audit.

### **Finding #3**

**LSP does take measures to ensure the accuracy of some data in the registry. LSP has implemented measures to review the accuracy of data submitted by local law enforcement before it is accepted into the registry.**

Response: As previously noted, statutory provisions require the registering agency to obtain specific information and documentation from the registrant at the time of registration. The registering agency is statutorily responsible for conducting a physical inspection of the address of the registrant for verification purposes. Please refer to La.R.S. 15:542.C(1)(e through o) and La.R.S. 15:542.C(2).

The implementation of one system to register offenders is anticipated to enhance the overall accuracy of information as the system provides a tracking mechanism of each entry and change made, including the name of the individual creating the entry/change, date and time.

### **Finding #4**

**LSP could implement procedures to help ensure the completeness of the registry data.**

Response: As previously noted, statutory provisions require the registering agency to obtain specific information and documentation from the registrant at the time of registration. The registering agency is statutorily responsible for conducting a physical inspection of the address of the registrant for verification purposes. Please refer to La.R.S. 15:542.C(1)(e through o) and La.R.S. 15:542.C(2).

The implementation of one system to register offenders is anticipated to enhance the overall accuracy of information as the system provides a tracking mechanism of each entry and change made, including the name of the individual creating the entry/change, date and time.

### **Finding #5**

**Louisiana could benefit from streamlining the processes used to update sex offender registration information.**

Response: The Louisiana State Police is working in unison with the Office of Attorney General, State of Louisiana, Department of Corrections and local law enforcement agencies to address this issue.

The aforementioned agencies are unified in pursuing the implementation of one system for utilization by all agencies. A vendor has been selected which will provide the same database to be utilized by each agency. The Louisiana State Police database will serve as a central repository of all records entered into the system by an outside agency.

The system will poll, in fifteen (15) minute increments, the database of each agency responsible for registering offenders. Information not previously contained in the Louisiana State Police database will be electronically updated. This will extremely streamline the process for the placement of information into the Louisiana State Police registry while eliminating the need for manual submissions.

#### **Finding #6**

**Louisiana's community notification process differs from other states' processes. In Louisiana the sex offender is responsible for the majority of community notification. In other states we reviewed, local law enforcement is responsible for the majority of community notification.**

Response: The Louisiana State Police is working in unison with the Office of Attorney General, State of Louisiana, Department of Corrections and local law enforcement agencies to address this issue.

The aforementioned agencies are unified in pursuing the implementation of one system for utilization by all agencies. A vendor has been selected which will provide the same database to be utilized by each agency. The Louisiana State Police database will serve as a central repository of all records entered into the system by an outside agency.

The system will allow an individual to obtain an email upon a specific registrant when information regarding the registrant is altered. In addition, the current and proposed system allows an individual to search a geographical area for registrants.

The system will allow electronic notice to be issued to agencies such as schools within a given geographical area. This notice will be in addition to the notifications required of the registrant.

In closing, the Louisiana State Police appreciates the impartial review conducted by the Louisiana Legislative Auditor. As evidenced by the responses provided within this summary, the Louisiana State Police is striving to implement programs to address the findings of the performance audit.

The Louisiana State Police will continue to utilize the findings of the performance audit as a mechanism to enhance public service and protection to our citizenry.